

Civil Action No. 1:21-cv-04850-PKC-CLP

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Upstep, LLC was received by me on *(date)* Sep 10, 2021, 1:50 pm.

- ☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* Jennifer Shaw, Managing Agent Authorized to Accept, who is designated by law to accept service of process on behalf of *(name of organization)* Upstep, LLC on *(date)* Fri, Sep 10 2021; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date: September 13, 2021



Server's signature

Danielle Stevens, Process Server

Printed name and title

Guaranteed Subpoena Service
P.O. Box 2248, Union, NJ 07083

Server's address

Additional information regarding attempted service, etc.:

Documents Served: Summons in a Civil Action; Class Action Complaint with Jury Trial Demanded

1) Successful Attempt: Sep 10, 2021, 2:55 pm EDT at InCorp Services, Inc., Registered Agent 919 N. Market St, # 950, Wilmington, DE 19801 received by Jennifer Shaw, Managing Agent Authorized to Accept. Age: 50; Ethnicity: Caucasian; Gender: Female; Weight: 220; Height: 5'8"; Hair: Brown;

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

BRIAN FISCHLER, Individually and on behalf of all
other persons similarly situated,

Plaintiff(s)

v.

UPSTEP, LLC

Defendant(s)

Civil Action No. 21-CV-4850

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

UPSTEP, LLC
C/o Incorp Services, Inc.
919 North Market Street, Suite 950
Wilmington, DE 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christopher H. Lowe
Lipsky Lowe LLP
420 Lexington Avenue, Suite 1830
New York, New York 10170-1830
212.392.4772

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 08/27/2021



/s/ P. Neptune

Signature of Clerk or Deputy Clerk